

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

PARTIES TO DISPUTE:

**BROTHERHOOD OF RAILWAY AND STEAMSHIP CLERKS,
FREIGHT HANDLERS, EXPRESS AND STATION EMPLOYES**

ST. LOUIS-SAN FRANCISCO RAILWAY COMPANY

STATEMENT OF CLAIM: *Claim of the System Committee of the Brotherhood that:*

CLAIM I

(A) The Carrier violated the terms of the currently effective Agreement between the parties when it refused to cooperate with the Employees in the assignment of vacation in 1956 of a Group 3 employe, C. D. Sanderson at Kansas City, Missouri, requiring him to include a holiday as the first day of his vacation, thus depriving him of one day's vacation to which he was entitled in the year 1956.

(B) C. D. Sanderson, now be allowed one day's pay at time and one-half, in addition to what he was paid for work performed on Monday, November 24, 1956.

CLAIM II

(A) The Carrier violated the terms of the currently effective Agreement between the parties when it failed and refused to cooperate with the Employees in granting the dates required for vacation during the year 1956, requiring Nathan Carlo, Cashier at Blytheville, Arkansas, to include a holiday as the first day of his vacation period, thus depriving him of one day's vacation to which he was entitled during the year 1956.

(B) Nathan Carlo shall now be paid one day's pay at time and one-half at the rate of his position account failure to grant one day's vacation to which he was entitled.

CLAIM III

(A) The Carrier violated the terms of the currently effective Agreement between the parties when after permitting him to take four day of his vacation, January 3, 4, 5, and 6, 1956, it subsequently

charged Mr. Charles C. Baker with one day's vacation on January 2, a holiday, without conference or agreement, and allowed him only five additional days of vacation during the year 1956, thus requiring him to work on one day for which he was entitled to vacation.

(B) Charles C. Baker shall now be allowed one day's pay at the rate of his position at time and one-half, account not being granted the number of days vacation to which he was entitled during the year, 1956.

FINDINGS: The Third Division of the Adjustment Board, after giving the parties to this dispute due notice of hearing thereon and upon the whole record and all the evidence, finds and holds:

That carrier and employes involved in this dispute are respectively carrier and employes within the meaning of the Railway Labor Act, as approved June 21, 1934;

That this Division of the Adjustment Board has jurisdiction over the dispute involved herein;

That the dispute was certified to the Third Division of the Adjustment Board ex parte by the complainant party; and

That hearing thereon has been held and concluded. Under date of October 20, 1959, the parties jointly advised the Secretary of the Third Division of their desire to withdraw this case from further consideration by the Division, which request is hereby granted.

AWARD

Case dismissed.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of THIRD DIVISION

ATTEST: S. H. Schulty
Executive Secretary

Dated at Chicago, Illinois, this 18th day of November, 1959.